

United States District Court
Southern District of Texas
FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

FEB 27 2019

Clerk of Court

United States of America
v.Carlos Adan ZARAZUA-Zacarias
B1/B2 Nonimmigrant Visa
YOB:1981

Case No.

M-19-0463-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 26, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

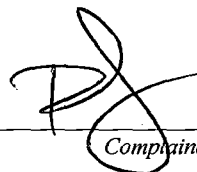
Offense Description

18 USC 922(g)(5)(B)

Unlawful to possess ammunition that had previously traveled in and affected interstate commerce while being an alien who except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))

This criminal complaint is based on these facts:

See attached Affidavit.

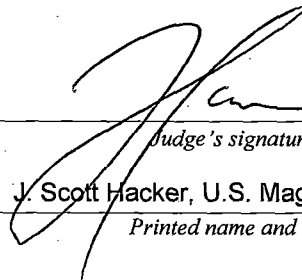
☒ Continued on the attached sheet.

Complainant's signature

Brian E. Garcia, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/27/2019City and state: McAllen, Texas

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

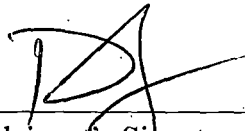
Attachment A

On February 25, 2019, Homeland Security Investigations (HSI) Special Agents (SAs) initiated mobile surveillance on Carlos Adan ZARAZUA-Zacarias. Through law enforcement database queries, ZARAZUA-Zacarias was identified as a citizen of Mexico who holds a B1/B2 Nonimmigrant Visa. HSI SAs observed ZARAZUA-Zacarias purchase and possess large amounts of ammunition at multiple Federal Firearm Licensees (FFL) in Hidalgo County, Texas. ZARAZUA-Zacarias proceeded to stay overnight in McAllen, Texas.

On February 26, 2019, HSI SAs continued mobile surveillance on ZARAZUA-Zacarias. During surveillance, HSI SAs approached ZARAZUA-Zacarias at a local business in McAllen, Texas. Due to the nonimmigrant status of ZARAZUA-Zacarias, ZARAZUA-Zacarias is prohibited from possessing ammunition; thus, ZARAZUA-Zacarias was placed under arrest and transported to the HSI McAllen field office for further questioning and processing.

During a post arrest Miranda interview, ZARAZUA-Zacarias admitted to purchasing and possessing four thousand one hundred and five (4,105) rounds of assorted caliber ammunition. To wit; nine hundred (900) rounds of .357 caliber ammunition, three hundred and fifty (350) rounds of .44 caliber ammunition, three hundred and fifty (350) rounds of .38 Super caliber ammunition, one hundred (100) rounds of 10mm ammunition, one thousand two hundred (1,200) rounds of .45 caliber ammunition, five (5) rounds of 12 gauge shotgun ammunition, one hundred (100) rounds of 6.5mm caliber ammunition, one hundred (100) rounds of 9mm caliber ammunition, one hundred (100) rounds of .40 caliber ammunition, one hundred (100) rounds of .380 caliber ammunition, forty (40) rounds of .270 caliber ammunition, five hundred (500) rounds of .22 caliber ammunition, two hundred and sixty (260) rounds of .300 caliber ammunition.

HSI SAs contacted the Bureau of Alcohol Tobacco Firearms and Explosives (ATF) and provided an ATF SA, who is a recognized expert in the interstate and foreign commerce travel of firearms and ammunition, with specifics of the ammunition seized from ZARAZUA-Zacarias. The ATF SA stated the ammunition was manufactured outside the state of Texas and therefore, previously traveled in interstate or foreign commerce at some time prior to being possessed by any person in the state of Texas.


Complainant's Signature

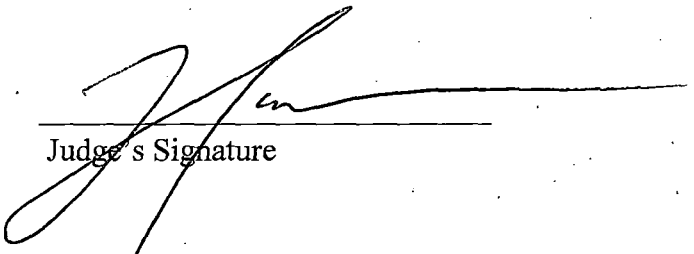
Brian E. Garcia, HSI Special Agent
Printed Name and Title

Attachment A

Sworn to before me and signed in my presence.

Date: February 27, 2019

City and state: McAllen, Texas



Judge's Signature

J. Scott Hacker, U.S. Magistrate Judge
Printed Name and Title